

HOUSE BILL 553

By Whitson

AN ACT to amend Tennessee Code Annotated, Title 7,
Chapter 51, relative to infectious diseases.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 7-51-209(a)(4), is amended by deleting the subdivision and substituting the following:

(4) "Infectious disease" means:

(A) The human immunodeficiency virus;

(B) Hepatitis C virus; and

(C) A virus or other communicable disease for which:

(i) A pandemic has been declared by the World Health Organization or the federal centers for disease control and prevention; and

(ii) The governor has declared a state of emergency pursuant to § 58-2-107;

SECTION 2. Tennessee Code Annotated, Section 7-51-209(b)(2), is amended by deleting the subdivision and substituting the following:

(2) For reasons stated in subdivision (b)(1), an emergency rescue worker who suffers a condition or impairment of health that is caused by an infectious disease, and that results in total or partial disability or death is presumed to have a disability suffered in the line of duty, unless the contrary is shown by a preponderance of the evidence. However, in order to be entitled to the presumption, the emergency rescue worker must verify by written declaration that, to the best of the emergency rescue worker's

knowledge and belief: In case of a medical condition caused by or derived from an infectious disease, the emergency rescue worker has not:

(A) Been exposed outside the scope of the worker's employment, through transfer of bodily fluids, to a person known to have a sickness or medical condition derived from an infectious disease;

(B) Had a transfusion of blood or blood components, other than a transfusion arising out of an accident or injury happening in connection with the worker's present employment, or received any blood products for the treatment of a coagulation disorder since last undergoing medical tests for infectious disease, which tests failed to indicate the presence of an infectious disease;

(C) Engaged in unsafe sexual practices or other high-risk behavior, as identified by the centers for disease control and prevention or the surgeon general of the United States, or had sexual relations with a person known to the worker to have engaged in such unsafe sexual practices or other high-risk behavior; or

(D) Used intravenous drugs not prescribed by a physician.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.